

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION

Monta Gordon, #259797,)	
)	C.A. No.: 9:06-2606-RBH
Petitioner,)	
)	
vs.)	ORDER
)	
Colie L. Rushton; and Henry McMaster,)	
Attorney General for South Carolina,)	
)	
Respondents.)	
)	
_____)	

This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge George C. Kosko, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. See 28 U.S.C. § 636(b)(1).

The Petitioner has filed no objections to the Report and Recommendation, although this Court granted him an additional ten days to file objections.¹ In the absence of objections to the Report and

¹ The petitioner states in his [15] motion for extension of time that he received the Report and Recommendation on February 28, 2007.

Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

After a thorough review of the Report and Recommendation and the record in this case, the court adopts Magistrate Judge Kosko's Report and Recommendation and incorporates it herein. It is therefore

ORDERED that respondents' #[10] motion for summary judgment is hereby GRANTED.

IT IS SO ORDERED.

s/ R. Bryan Harwell

R. Bryan Harwell

United States District Judge

Florence, South Carolina
April 16, 2007